

Atty. Dkt. No. 071949-1328

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kenneth F. Buechler

Title: DIAGNOSTIC DEVICES AND APPARATUS FOR THE CONTROLLED MOVEMENT OF REAGENTS WITHOUT MEMBRANES

Appl. No.: 10/697,351

Filing Date: 10/29/2003

Examiner:

Art Unit:

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on the date below.	
<u>Diane Garcia</u> (Printed Name)	
<u>Diane Garcia</u> (Signature)	
1-8-04 (Date of Deposit)	

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

The USPTO has waived the requirement under 37 CFR 1.98(a)(2)(i) to submit copies of U.S. patents and U.S. patent application publications when citing and submitting an Information Disclosure Statements in a patent application filed after June 30, 2003 and in an international application that has entered the national stage under 37 USC §371 after June 30, 2003. Accordingly, copies of these types of documents are not being supplied in connection with this application. Reference is being made to Pre-OG Notice from Office of Patent Legal Administration dated July 25, 2003, *Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003.*

Applicant submits herewith a listing of the documents cited by or submitted to the U.S. PTO in parent application Serial No. 09/613,650, filed 07/11/2000. As provided in 37 CFR §1.98(d), copies of the documents are not being provided since they were previously submitted to the United States Patent & Trademark Office in the above-identified parent application.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), within three (3) months of the filing date of the application.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to

Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

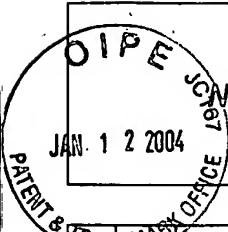
Respectfully submitted,

Date 1/8/04

By Barry Wilson

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Barry S. Wilson
Attorney for Applicant
Registration No. 39,431



Notice of References Cited

JAN 12 2004

Application/Control No.
09/613,650

Applicant(s)/Patent Under
Reexamination
BUECHLER, KENNETH F.

Examiner
Lyle A Alexander

Art Unit
1743
Page 1 of 1

U.S. PATENT DOCUMENTS

	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
A	US-5,512,659	04-1996	Ullman et al.	530/391.1
B	US-			
C	US-			
D	US-			
E	US-			
F	US-			
G	US-			
H	US-			
I	US-			
J	US-			
K	US-			
L	US-			
M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
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Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.



Notice of References Cited

1307

Application/Control No.	Applicant(s)/Patent Under Reexamination	
09/613,650	BUECHLER, KENNETH F.	
Examiner	Art Unit	
Lyle A Alexander	1743	Page 1 of 1

U.S. PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
A	US-3,966,897	06-1976	Renn et al.	436/515
B	US-			
C	US-			
D	US-			
E	US-			
F	US-			
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I	US-			
J	US-			
K	US-			
L	US-			
M	US-			

FOREIGN PATENT DOCUMENTS

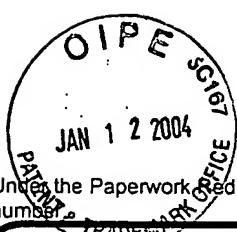
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O					
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S					
T					

NON-PATENT DOCUMENTS

*	Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)	
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V		
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*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)

Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.



MODIFIED PTO/SB/08 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

Application Number	09/613,650
Filing Date	07/11/2000
First Named Inventor	Kenneth F. Buechler, Ph.D.
Group Art Unit	1743
Examiner Name	
Attorney Docket Number	071949-1307

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

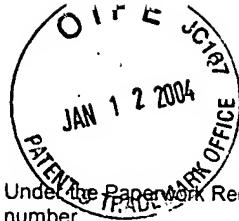
NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	A17	Phadke, "Biosensors and enzyme immobilized electrodes." Biosystems, 27:203-206, 1992.	

Examiner Signature _____ Date Considered _____

***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 2 of 2

Complete if Known

Application Number	09/613,650
Filing Date	07/11/2000
First Named Inventor	Kenneth F. Buechler, Ph.D.
Group Art Unit	1743
Examiner Name	
Attorney Docket Number	071949-1307

Attorney Docket Number 071949-1307

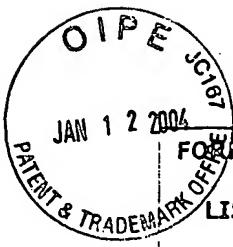
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Examiner Signature		Date Considered	
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¹ Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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FORM PTO-1449

LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S
INFORMATION DISCLOSURE STATEMENT

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ATTY. DOCKET NO.
030691.0011.CIP2

SERIAL NO.
09/613,650

APPLICANT:
Kenneth F. Buechler

FILING DATE:
July 10, 2000

GROUP:
1641

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
	AA	4,233,029	11/11/80	Columbus	422	58	
	AB	4,426,451	01/17/84	Columbus	436	518	01/28/81
	AD	4,435,504	03/06/84	Zuk, et al.	435	7	07/15/82
	AE	4,727,019	02/23/88	Valkirs, et al.			05/10/85
	AF	4,756,828	07/12/88	Litman, et al.	435	7	4/12/84
	AG	4,757,004	07/12/88	Houts, et al.	435	7	03/16/84
	AH	4,857,453	08/15/89	Ullman, et al.	435	7	04/07/87
	AI	4,877,586	10/31/89	Devaney, Jr. et al.			07/27/88
	AJ	4,879,215	11/07/89	Weng, et al.	435	7	
	AK	4,883,688	11/28/89	Houts, et al.	427	285	07/05/88
	AL	4,906,439	03/06/90	Grenner	422	56	
	AM	4,916,056	04/10/90	Brown, III et al.	435	7	03/28/88
	AN	4,945,205	07/31/90	Litman, et al.	219	121	07/05/88
	AO	4,960,691	10/02/90	Gordon, et al.	435	6	09/29/86
	AP	4,963,498	10/16/90	Hillman, et al.	436	69	01/15/88
	AQ	5,006,309	04/09/91	Khalil et al.	422	56	04/22/88
	AR	5,023,054	06/91	Sato, et al.	422	82.09	11/09/89
	AS	5,028,535	07/02/91	Buechler, et al.	435	7.1	01/10/89
	AT	5,051,237	09/24/91	Grenner et al.	422	56	06/23/88

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DATE CONSIDERED:

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LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT <small>(Use several sheets if necessary)</small>					ATTY. DOCKET NO. 030691.0011.CIP2	SERIAL NO. 09/613,650
					APPLICANT: Kenneth F. Buechler	
					FILING DATE: July 10 2000	GROUP: 1641

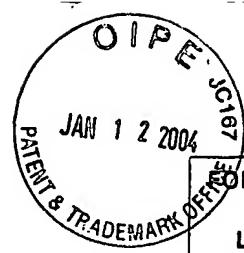
	AU	5,087,556	02/92	Erlinghausen	422	56	05/17/89
	AV	5,089,391	02/18/92	Buechler, et al.	435	7.1	01/10/90
	AW	5,137,808	08/92	Ullman, et al.	422	56	07/31/89
	AX	5,458,852	10/17/95	Buechler	422	58	05/21/92
	AY	5,885,527	3/23/99	Buechler	422	58	5/23/95
	AZ	6,019,944	02/01/00	Buechler	422	58	05/23/95

FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO
	BA	0212314	03.04.87	EPO (Allen, et al.)	3	00	
	BB	0348006	27.12.89	EPO (Greener, et al.)	3	00	
	BC	0418765	21.03.91	EPO (Vonk)	33	543	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)		
	BD	Cambridge Dictionary of Science and Technology, Walker, editor, 131 (1988) (Reprinted 1990)
	BE	Dill, "Dominant Forces in Protein Folding", BIOCHEMISTRY 29(31): 7133 (1990)
	BF	Frens, "Controlled Nucleation for the Regulation of the Particle Size in Monodisperse Gold Suspensions," Nature Physical Science 241:20-22 (1973)
	BG	Laibinis, et al., "w-Terminated Alkanethiolate Monolayers on Surfaces of Copper, Silver, and Gold Have Similar Wettabilities" J. AM. CHEM. SOC., 1992:114 (1990-1995)
	BH	Lou, et al., "One-Step Competitive Immunochromatographic Assay for Semiquantitative Determination of Lipoprotein(a) in Plasma" CLINICAL CHEMISTRY, 39(4) 619-624 (1993)
	BI	Myer, D., Surfaces, Interfaces, and Colloids: Principles and Applications, 94-99 (1991)

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FORM PTO-1449

**LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S
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ATTY. DOCKET NO.
030691.0011.CTP2

SERIAL NO.

APPLICANT:

FILING DATE: July 10, 2000	GROUP: 1641
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EXAMINER:	DATE CONSIDERED:
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